



## Senator Feinstein Calls on President Bush to Take Active Role in Effort to Renew Federal Assault Weapons Ban

*-- Bush says he supports ban, but has done nothing to ensure its renewal --*  
September 8, 2004

**Washington, DC** –*In a speech on the Senate Floor, U.S. Senator Dianne Feinstein (D-Calif.) today called upon President Bush to actively work to pass the renewal of the ban.*

*Unless Congress and the President act, the assault weapons ban will expire on September 13 – just five days from now. The ban, which was approved in 1994, prohibits the domestic manufacture and import of 19 types of semi-automatic assault weapons and dozens of others by characteristic.*

*The ban has reduced the rate of banned assault weapons traced to crime by two-thirds, enjoys support from seventy-five percent of the American public, and has been endorsed by virtually every major law enforcement group in the nation.*

*Following please find the text of her floor speech:*

“Mr. President, some of us have come to the Chamber today: Senator Schumer, who handled the assault weapons legislation 10 years ago in the House of Representatives as a member of the Judiciary Committee; Senator Kennedy, who has been steadfast in support of this legislation for literally decades; and myself, as the Senate author of the bill.

Ten years ago, the Senate, the House of Representatives, and the President of the United States stood up for the safety of the American people and against the National Rifle Association, and we passed one of the most important public safety measures this country has seen, the Federal ban on assault weapons.

That legislation was designed to dry up the supply of assault weapons over time. That legislation was designed so that no legitimate gun owner would lose their gun, nor have any.

The assault weapons ban, although not perfect, represented the best we could do to stem the growth and spread of these weapons throughout our cities and our States. That legislation is going to expire in 5 days. A couple of months ago the Senate took a vote. We know we have 52 votes for its reauthorization for another 10-year period. Senator Warner of Virginia joined me in sponsoring that legislation on the floor of the Senate. We also know that the legislation has been effective because gun traces to crimes committed with assault weapons have declined by two-thirds in these past 10 years.

The American people have supported the ban and their support has never waived. Today almost three-fourths of the American public supports the ban, as do more than two-thirds of gun owners.

Law enforcement supported the ban in 1994, and their support has never waived either. Every major law enforcement organization in the country supports renewing this ban, and countless individual chiefs of police, sheriffs, and line officers have put themselves on the line to express their support, too. In fact, many of these same officers are in town today to let Congress know how important the assault weapons ban is to the safety of those who face these guns in the line of duty day in and day out. This chart illustrates the percentage of banned assault weapons used in crimes, down by nearly two-thirds since passage of the 1994 act.

The NRA will say: The bill is cosmetic. It hasn't done anything. It has been ineffective. Then why do they make this legislation and its demise their No. 1 priority? This chart shows that they are wrong. In a moment, I will cite testimony from a former BATF analyst that says this legislation has, in fact, been effective.

Presidents Clinton, Carter, Ford, and Reagan, and even Bush, have all expressed support for renewing the ban. President Bush stated his firm support in his 2000 campaign. He has never publicly wavered from that stance. But 5 days from today, none of this support will matter. The assault weapons ban will be history, one more victim of the powerful, selfish NRA and its brutal lobbying tactics.

Because the President has steadfastly refused to put his money where his mouth is and help us renew the ban, it is going to expire without so much as even a vote in the House of Representatives. We have asked the President: Please use your leadership to convince the Speaker of the House of Representatives to bring this bill to the floor. Please use your leadership to twist some arms. If you support this, if you know the American people support it, if you believe it makes for a safer America, please help us.

We have cried out in vain. There has been no response from the White House. Instead, the President quietly awaits September 13 and hopes that after he lets the ban expire, he can once again receive the endorsement of the NRA, because the NRA is not going to make their endorsement until the ban expires. This is truly a dark day in the Senate's history, as we let this ban, which has worked so well and has saved lives, simply fade away.

I mentioned earlier that what the ban does is prohibit the manufacture of large-capacity ammunition magazines, clips, drums, or strips of more than ten rounds. It prohibits the manufacture and sale of 19 specific types of military-style assault weapons as well as a number of other guns based on a simple test to determine whether the guns were hunting guns or weapons of war.

Come next week, companies will once again begin to churn out large-capacity ammunition devices, and powerful, easily concealed military weapons, all for civilian use. The NRA will try to hail this as a victory for hunters, but the fact is, no hunter has lost their weapon, and no hunter has been limited by the assault weapons ban. The law specifically, by name, exempts 670 hunting guns entirely.

It is also important to note that the ban grandfathered in every gun made before 1994. No innocent gun owner lost their weapon. There was no confiscation component to the bill. But by

banning the future manufacture of these guns, prohibiting the sale or transfer of any newly manufactured gun, the bill's intent was to gradually dry up the supply of these guns overtime.

I mentioned I would give you some Department of Justice data. I mentioned the proportion of assault weapons used in crime has fallen more than 65 percent since the ban took effect. Let me give you an analysis that was conducted by Gerald Nunziato, who for 8 years served as the special agent in charge of the Bureau of Alcohol, Tobacco, and Firearms, the BATF's, national tracing center. This is not some fly-by-night study. This is by the one person who knows what these numbers mean better than anyone. He found two things. First, as indicated by this chart, he found that:

‘Assault weapons banned by name in the Federal Assault Weapons Act have declined significantly as a percentage of guns ATF has traced to crime, and in absolute number of traces, since the Act was passed. Had this decline not occurred, thousands more of those banned assault weapons would likely have been traced to crime over the last 10 years.’

He also said:

‘The gun industry's efforts to evade the Federal Assault Weapons Act through the sale of ‘copycat’ guns has not substantially undercut the positive effect of the statute in reducing the incidence of assault weapons among gun crimes.’

In other words, even though craven gun manufacturers tried to evade the ban, those copycat guns did not replace banned guns in equal numbers, at least when traced to crimes. I want to spend a couple of minutes and explain to you about a shipment that was recently found by Italian customs. Some 8,000 AK-47 assault rifles were on their way from the Romanian port of Constanta to New York City, according to press reports and BATF information, apparently bound for a gun store in Georgia by the name of Century International Arms. These guns had a value of more than \$7 million -- 8,000 AK-47s.

It is believed by some that these guns were being shipped to the United States in anticipation of the expiration of the assault weapons legislation. Though this shipment may very well have been illegal in any case under a 1989 Executive Order, think of one gun store buying 8,000 AK-47s in anticipation of 5 days from today.

Think of where guns like these are going to go. Some are going to go to legitimate gun owners. Others are going to go to gang bangers. They are going to be sold out of the backseats of automobiles and on street corners to criminals. They have become the weapon of choice for those who go up against the police. Mr. President, that is 8,000 AK-47s in one shipment coming into the United States.

One advertisement now running in gun magazines is from a company called ArmaLite. They make postban rifles. As one can see from this advertisement, ArmaLite is now offering a coupon for a free flash suppressor for anyone who buys one of their guns. A flash suppressor is used to prevent the flash of the gun when it is fired. So if you are using it, no one can see where you are, particularly at night, by the flash of the weapon.

Let me read what this says: ‘And by the way...ArmaLite's rifles are made to be easily retrofitted with your flash suppressor and your other pre-ban features so you don't have to wait if you're choosing an ArmaLite.’

They are giving a coupon for a free flash suppressor with every new weapon to keep in your pocket as a reminder to work with the NRA to get out the vote and to keep writing and calling your legislators. That is what we are up against: flash suppressors for votes in this country. It makes me sick to my stomach.

The ad states: 'It is not legal to install this on a post-ban rifle until the assault weapons ban sunsets. That will happen in 5 days.'

A recent study by the Consumer Federation of America discovered that manufacturers are also gearing up to manufacture large-capacity ammunition clips. This is the danger. Just yesterday in Geneva, OH, somebody stood in the main thoroughfare and fired more than 50 rounds from a big clip. No one could get to him to disarm him. Three people were wounded. He just stood there and fired the weapon indiscriminately.

One manufacturer told a caller from the Consumer Federation of America that there is a pent-up demand for 50-round clips and larger. Who needs a 50-round clip? Hunting laws in every State restrict the number of bullets in a clip to under 10. Who needs a 50-round clip?

It is clear that time has run out. It is clear the President of the United States will not help, and this is truly a sad day for this Nation. My hope is if the ban expires and these guns and high-capacity clips once again start to flood our streets, some common sense will return to Washington and we can then put the ban in place. But I want this Senate to know, Mr. President, that I do not intend to give up. Next year, I will put a better law on virtually any bill I can find to do so, and we will come back and back and back, and we will have armor because no doubt tragedy will ensue.

The assault weapons legislation has worked. No legal owner has been denied a weapon. No weapon has been confiscated. Yet the supply of these weapons on the streets have declined. A dominant majority, upwards of 70 percent of the American people, support its reauthorization. We have bipartisan support in the Senate for its reauthorization. President Bush, please, if you care, if you are listening, do something. The House can pass this. We have had the debate in the Senate. It will only take a few minutes for the Senate to cast the same vote again, and then you can sign a piece of legislation that we know makes this Nation safer.

Mr. President, I want to thank the distinguished Senator from New York. I remember my call to him 10 years ago over in the House saying, 'Chuck, would you consider handling this in the House,' and he did. It was not easy. After the 1994 vote, the House repealed the assault weapons legislation, under pressure from the NRA. He stood fast -- we stood fast -- and the law continued. I am very grateful to the Senator and I want him to know that.

Going on at this very time is a press conference of law enforcement from all over the United States. One of the people who journeyed here for this press conference is a man by the name of Lee Guelff. His brother James Guelff was a police officer working out of Northern Station in San Francisco when a call came in that there was a sniper at Pine and California Streets. Officer Guelff responded to the call. What he found was a sniper, clad from head to toe in Kevlar, with military-style semiautomatic assault weapons, as well as over 1,000 rounds of ammunition. He had his service revolver, and the shots were flying.

As he went to speed-load his weapon, he was hit in the head by a bullet of the hundreds of rounds this man fired. It took 150 police officers to bring down this man clad in Kevlar at the corner of Pine and California Streets.

These weapons are not for civilian use. These weapons all were designed for military use to kill large numbers of people in close combat. Whether it is Geneva, OH, or Pine and California Streets in San Francisco, these weapons do not belong in civilian hands.

I will show a few pictures of police officers who have been in similar status. Marion County, IN, Deputy Sheriff Jason Baker was shot with an AK-47 during a traffic pursuit. He was following directly behind the fleeing vehicle when the suspects shot him in the head with one of the rounds from the AK-47. He died that day from gunshot wounds.

Lance Corporal Dana Lyle Tate and Corporal Dyke Coursen, Beaufort County deputy sheriffs, were shot and killed with an assault rifle after responding to a domestic disturbance call. Everyone who knows law enforcement knows domestic disturbances are fraught with jeopardy. When someone has an assault weapon against a police officer entering that house, the police officers do not have a chance.

San Francisco police officer Isaac Espinoza, 29, was gunned down April 10 of this year with an AK-47. His partner was wounded as well. There were a number of bullets fired. He was shot in the back.

Los Angeles County Police Captain Michael Sparkes, just on August 10 of this year, was shot and killed while off duty in Rosewood, CA. He was taking an early morning bicycle ride when he was confronted by two alleged gang members. The two men were attempting to rob Sparkes when an exchange of gunfire occurred. Captain Sparkes was shot multiple times with an AK-47 assault rifle containing a 40-round magazine of ammunition.

Downstairs there are representatives from the Fraternal Order of Police, the International Association of Chiefs of Police, Major City Chiefs, the National Association of Police Organizations, the National Association of Black Police Officers.

One last statement. Virtually all of law enforcement has implored us, has requested that we reauthorize this legislation. I yield the floor.”

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